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19 FIDELITY NATIONAL TITLE INSURANCE COMPANY
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21 DESIGNATED LOCAL COUNSEL FOR SERVICE OF
22 PROCESS ON SINCLAIR BRAUN LLP PER L.R. IA 11-1(b)

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26 **UNITED STATES DISTRICT COURT**

27 **DISTRICT OF NEVADA**

28 BANK OF NEW YORK MELLON,
Plaintiff,

vs.

FIDELITY NATIONAL TITLE
INSURANCE COMPANY,

Defendant.

Case No.: 2:20-CV-02124-RFB-BNW

**STIPULATION AND ORDER TO
EXTEND TIME TO REPLY TO
MOTION TO DISMISS AND RESPOND
TO COUNTERMOTION TO CERTIFY
QUESTIONS [ECF Nos. 13, 14]**

(FIRST REQUEST)

COMES NOW defendant Fidelity National Title Insurance Company ("Fidelity") and plaintiff The Bank of New York Mellon ("BONY"), by and through their respective attorneys of record, which hereby agree and stipulate as follows:

1. On October 18, 2020 BONY filed its complaint in the instant action. (ECF No. 1.);
2. On January 19, 2021 Fidelity filed its motion to dismiss BONY's complaint. (ECF

1 No. 10.);

2 3. On February 16, 2021, BONY filed its opposition to Fidelity's motion to dismiss
3 (ECF No. 13) and also filed a countermotion to certify questions to the Nevada Supreme Court.
4 (ECF No. 14);

5 4. Fidelity's reply supporting its motion to dismiss is due on February 23, 2021, while
6 its response to BONY's countermotion to certify questions is due on March 2, 2021;

7 5. Counsel for Fidelity is requesting a two-week extension of its deadline to file a
8 reply supporting its motion to dismiss and a one-week extension of its deadline to file a response
9 to BONY's countermotion, both until March 9, 2021, to afford Fidelity's counsel additional time
10 to review and respond to BONY's opposition and countermotion and to afford BONY's counsel
11 additional time to consider Fidelity's offer to stipulate to the filing of the proposed amended
12 complaint (i.e., ECF No. 13-11).

13 6. Counsel for BONY does not oppose the requested extension;

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7. This is the first request for an extension made by counsel for Fidelity, which is made in good faith and not for the purposes of delay.

IT IS SO STIPULATED that Fidelity's deadline to file a reply to the motion to dismiss and to file a response to the countermotion to certify questions are both hereby extended through and including March 9, 2021.

Dated: February 19, 2021

SINCLAIR BRAUN LLP

By: /s/-Kevin S. Sinclair
KEVIN S. SINCLAIR
Attorneys for Defendants
FIDELITY NATIONAL TITLE INSURANCE
COMPANY

Dated: February 19, 2021

AKERMAN LLP

By: /s/-Jamie K. Combs
JAMIE K. COMBS
Attorneys for Plaintiff
THE BANK OF NEW YORK MELLON

IT IS SO ORDERED.

Dated this 24th day of February, 2021.



RICHARD F. BOULWARE
UNITED STATES DISTRICT JUDGE